## House Study Bill 703 - Introduced

HOUS	E FILE
вч	(PROPOSED COMMITTEE ON
	STATE GOVERNMENT BILL BY
	CHAIRPERSON KAUFMANN)

## A BILL FOR

- 1 An Act relating to city civil service commissions.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 400.1, subsection 1, Code 2022, is 2 amended to read as follows:

1. In cities having a population of eight thousand or over 4 and having a paid fire department or a paid police department, 5 the mayor, one year after a regular city election, with the 6 approval of the council, shall may appoint three civil service 7 commissioners. The mayor shall publish notice of the names 8 of persons selected for appointment no less than thirty days 9 prior to a vote by the city council. Commissioners shall hold 10 office, one until the first Monday in April of the second year, 11 one until the first Monday in April of the third year, and one 12 until the first Monday in April of the fourth year after such 13 appointment, whose successors shall be appointed for a term of 14 four years. In cities having a population of more than seventy 15 thousand, the city council may establish, by ordinance, the 16 number of civil service commissioners at not less than three.

17 Sec. 2. Section 400.3, subsection 2, Code 2022, is amended 18 to read as follows:

2. If the mayor or city council appoints a commission 20 under section 400.1 or this section, the city council may, by 21 ordinance, abolish the commission, and the commission shall 22 stand abolished sixty days from the date of the ordinance and 23 the powers and duties of the commission shall revert to the 24 city council except whenever a city having a population of less 25 than eight thousand provides for the appointment of a civil 26 service commission, the city council may by ordinance abolish 27 such office, but the ordinance shall not take effect until 28 the ordinance has been submitted to the voters at a regular 29 city election and approved by a majority of the voters at such The ordinance shall be published once each week 30 election. 31 for two consecutive weeks preceding the date of the election 32 in a newspaper published in and having a general circulation 33 in the city. If a newspaper is not published in such city, 34 publication may be made in any newspaper having general 35 circulation in the county.

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- 1 Sec. 3. Section 400.4, subsection 1, Code 2022, is amended 2 to read as follows:
- 3 1. The commission shall elect a chairperson from among
- 4 its members. In cities having a population of more than
- 5 seventy-five thousand, the commission shall may appoint a clerk
- 6 of the commission. In all other cities the city clerk or a
- 7 designee of the city clerk shall be clerk of the commission.
- 8 If an employee is appointed clerk of the commission who is
- 9 employed in a civil service status at the time of appointment
- 10 as clerk of the commission, the appointee shall retain the
- 11 civil service rights held before the appointment. However,
- 12 this section does not grant civil service status or rights to
- 13 the employee in the capacity of clerk of the commission nor
- 14 extend any civil service right upon which the appointee may
- 15 retain the position of clerk of the commission.
- Sec. 4. Section 400.6, Code 2022, is amended by adding the
- 17 following new subsection:
- 18 NEW SUBSECTION. 8. a. Permanent full-time police officers
- 19 and fire fighters in cities having a population of more
- 20 than eight thousand if the city has abolished the commission
- 21 pursuant to section 400.3.
- 22 b. Appointive permanent full-time employees in cities having
- 23 a population of more than fifteen thousand if the city has
- 24 abolished the commission pursuant to section 400.3.
- 25 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- This bill relates to city civil service commissions.
- 29 Under current law, cities with a population of at least 8,000
- 30 and with a paid police department or a paid fire department
- 31 shall establish a civil service commission for the purpose of
- 32 administering Code chapter 400. The commission shall consist
- 33 of three members appointed by the mayor and serving staggered
- 34 terms, except that a city council in a city with a population
- 35 of at least 70,000 may establish a commission consisting of

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- 1 more than three members. In cities having a population of
- 2 more than 75,000, the commission shall appoint a clerk of the
- 3 commission. For a city having a population of less than 8,000,
- 4 the city council may appoint a civil service commission or act
- 5 as the civil service commission. Current law provides for the
- 6 abolition of a civil service commission when such commission is
- 7 first appointed by the city council. The provisions of Code
- 8 chapter 400 generally apply to full-time police officers and
- 9 fire fighters in cities having a population of more than 8,000,
- 10 and to all appointive permanent full-time employees in cities
- 11 having a population of more than 15,000.
- 12 The bill authorizes rather than requires a city with a
- 13 population of at least 8,000 and with a paid police department
- 14 or a paid fire department to establish a civil service
- 15 commission. The bill authorizes rather than requires a civil
- 16 service commission in a city having a population of more
- 17 than 75,000 to appoint a clerk of the commission. The bill
- 18 authorizes a city council to abolish a civil service commission
- 19 regardless of whether the mayor or the city council appointed
- 20 the commission. The bill provides that when a city abolishes
- 21 the civil service commission, Code chapter 400 does not apply
- 22 to permanent full-time police officers and fire fighters if
- 23 the city has a population of more than 8,000 or to appointive
- 24 permanent full-time employees if the city has a population of
- 25 more than 15,000.